

Board of Supervisors Hearing Date: July 31, 2007

Case Summary: Project No. 97-178-(3) ("Triangle Ranch")

**Conditional Use Permit and Oak Tree Permit Case Nos. 97-178-(3);
Vesting Tentative Tract Map No. 52419**

Project Applicant: Sage Community Group

BOS Hearing Dates: February 27, 2007, June 26, 2007, July 24, 2007

RPC Hearing Dates: May 18, 2005; June 22, 2005; February 22, 2006; April 5, 2006; June 28, 2006; September 20, 2006

RPC Consent Action Date: November 8, 2006

Synopsis

The Regional Planning Commission ("Commission") **denied** Project No. 97-178-(3), a single-family residential development of 66 single-family lots, five open space lots, six landscape lots and two desilting basin lots on 320.3 gross acres, located east and west of Kanan Road and Cornell Road, south of the City of Agoura Hills in The Malibu Zoned District. The Commission considered four designs during the six public hearings, with each redesign an attempt to address the Commission's concerns. At the last public hearing, the applicant expressed an unwillingness for further redesign, and requested that the Commission indicate an action on the project, either approval or denial. The Commission was aware that the applicant intended to appeal this matter to the Board of Supervisors, and requested that staff convey to the Board the Commission's basis for denial.

A Draft Environmental Impact Report ("EIR") was prepared for the project that identified potentially significant impacts, including Geotechnical, Air Quality, Hydrology, Water Quality, Traffic, etc. Impacts identified that could not be mitigated to less than significant include visual and biological resources.

During the public hearings, the Commission provided direction to the applicant for redesign to be more consistent with the Santa Monica Mountains North Area Plan. This included design features such as elimination of impacts to endangered and threatened species, more contoured grading, and reduced manufactured slopes. The Commission also requested design guidelines for landscaping and other requirements to regulate the future development of the property.

The Board of Supervisors opened the public hearing on February 27, 2007, and heard testimony from those in support and opposition. After consideration of the testimony, the Board directed the applicant to redesign the project to eliminate retaining walls along Kanan Road and other scenic corridors; protect all mapped Lyons pentachaeta and Santa Monica Mountains dudleya; incorporate changes to minimize water quality impacts; protect Medea Creek riparian habitat with minimized or eliminated brush clearance requirements; relocation of "D" Street; design and landscape guidelines; better maintenance of significant landforms; rural road section and avoid any new environmental impacts. The redesigned project proposes 61 single-family lots, and was cleared by Subdivision Committee. The revised map has also been circulated for

additional comments, with the public comment period on the Draft EIR extended 10 days after Subdivision Committee clearance.

Project Proponents

The applicant and their representative as well as members of the public testified as well as provided letters in favor of the project. Testimony and correspondence included a right for a reasonable return on investments and an account of the long history of this property within the Santa Monica Mountains as well as no effect on views from the Ventura US-101 Freeway and its adjacency to the City of Agoura Hills Specific Plan which includes higher dense mixed use development.

Project Opposition

Testifiers and correspondence were also received in opposition to the project. Concerns raised in testimony included the project's retaining walls along the public road, concern over impacts to the endangered species, lack of adequate design guidelines. Requests were also received for the project to be redesigned to an alternative within the Draft Environmental Impact Report for the project, that eliminates impacts to the endangered and threatened species.

Issues

- Impacts to endangered and threatened species - Grading and development are depicted that directly impact endangered and threatened species existing on the property. Indirect impacts also result from fuel modification requirements resulting from development. The project has since been redesigned to avoid direct impacts, and provide modified brush clearance requirements to protect the endangered and threatened species.
- Consistency with the Santa Monica Mountains North Area Plan – The North Area Plan contains many policies that dictate the type and design of development, including protection of natural resources, reduction of manufactured slopes, and incorporation of contour grading. The North Area Plan also prohibits disturbance of habitat areas of rare, threatened and endangered species. The project as redesigned, complies with the provisions of the Plan related to protection of endangered and threatened species. Slopes have been contour-graded to blend with the natural terrain.
- Updated design guidelines – During the Commission public hearing process, design guidelines were requested to ensure that the future buildout of the development would be aesthetically pleasing and be compatible with the surrounding community. These were not finalized before the Commission took final action on the project. Draft design guidelines have been prepared and included for the Board's consideration.

Contact Person: Susan Tae (213) 974-6433